

## REMARKS

### I. ADVISORY ACTION ERROR

Applicant notes that the Advisory Action was sent two months and two days after the third month following the Final Office Action. Applicant had responded to the Final Office Action within the two month period. The Advisory Action incorrectly stated that the period for reply expires 3 months from the mailing date of the final rejection. Applicant respectfully requests that the Advisory Action be corrected and that the Applicant is not charged for the three month extension, but rather a one month extension.

### II. STATUS OF CLAIMS

Claims 1-2, 5-14, 17-26, and 29-36 are pending in the Application. Claims 3, 4, 15, 16, 27, and 28 have been canceled.

### III. REJECTION BASED ON 35 U.S.C. §102(e)

The Office Action has rejected Claims 1-36 under 35 U.S.C. 102(e) as being anticipated by McManis (U.S. Pat. No. 5,757,914). The rejection is respectfully traversed.

Claims 1, 13, and 25 have been amended to clarify the invention. Claims 1, 13, and 25 now incorporate the elements of Claims 3, 4, and 15, 16, and 27, 28, respectively. No new matter has been added. Claims 1, 13, and 25 appear as follows:

1. A method of securely invoking an access control function, the method comprising the steps of:
  - receiving a digital signature for the access control function;
  - generating a mapping of the access control function to the digital signature;

determining that the digital signature is mapped to the access control function based on the mapping when execution of the access control function is requested;

generating a plurality of records mapping access control events to access control functions;

detecting that an access control event related to controlling access to information resources on a computer system has occurred;

determining that the access control event is mapped to the access control function;

retrieving an executable element if the access control event is mapped to the access control function;

generating a digital signature for the retrieved executable element;

determining whether the retrieved executable element matches the access control function by comparing the digital signature of the retrieved executable element and the digital signature for the access control function; and

executing the retrieved executable element only when the retrieved executable element matches the access control function.

13. A computer-readable medium carrying one or more sequences of one or more instructions for securely invoking an access control function, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:  
receiving a digital signature for the access control function;

generating a mapping between a plurality of access control events and a plurality of access control functions;

determining that the digital signature is mapped to the access control function based on the mapping when execution of the access control function is requested;

generating a plurality of records mapping access control events to access control functions;

detecting that an access control event related to controlling access to information resources on a computer system has occurred;

determining that the access control event is mapped to the access control function;

retrieving an executable element if the access control event is mapped to the access control function;

generating a digital signature for the retrieved executable element;

determining whether the retrieved executable element matches the access control function by comparing the digital signature of the retrieved executable element and the digital signature for the access control function; and

executing the retrieved executable element only when the retrieved executable element matches the access control function.

25. An access control system, comprising:
- a processor;
  - a memory coupled to the processor;
  - a first mapping that maps each of a set of access control functions to a digital signature of that access control function;
  - the processor configured to retrieve an executable element in response to a request to execute a first access control function;
  - the processor configured to generate a plurality of records mapping access control events to access control functions;
  - the processor configured to detect that an access control event related to controlling access to information resources on a computer system has occurred;
  - the processor configured to determine that the access control event is mapped to the access control function;
  - the processor configured to retrieve an executable element if the access control event is mapped to the access control function;
  - the processor configured to generate a digital signature for the retrieved executable element;
  - the processor configured to determine whether the retrieved executable element matches the first access control function by comparing the digital signature of the retrieved executable element and the digital signature for the first access control function; and
  - the processor configured to execute the retrieved executable element when the retrieved executable element matches the first access control function.

Since Claim 1 has incorporated the elements of Claims 3 and 4, the Office Action rejections of those claim elements will be addressed. In particular, McManis does not teach or disclose a system that generates a plurality of records mapping access control events to access control functions and detecting that an access control event related to controlling access to information resources on a computer system has occurred as claimed in Claims 1, 13, and 25. There is no disclosure of access control events in McManis, nor does McManis disclose generating a plurality of records mapping access control events related to controlling access to information resources on a computer system to access control functions. McManis teaches a program module verifier that verifies program modules and has no relationship to controlling access to information resources on a computer system. Therefore Mcmanis does not contemplate such a system.

The Office Action generally refers to McManis with respect to Claim 4, but does not detail the rejection with particularity.

The Office Action does not address the element of Claim 4 that determines that the access control event is mapped to the access control function. McManis does not disclose generating a plurality of records mapping access control events to access control functions. Therefore, McManis does not disclose or contemplate determining that an access control event is mapped to an access control function because no such mechanism could be taught by McManis when the generation of a plurality of records mapping access control events to access control functions is not contemplated in McManis.

Additionally, with respect to Claim 3, the Office Action states that “McManis discloses wherein the method further includes the step of detecting that an access control event has occurred ... (see col. 3, lines 59-67, col. 4, lines 1-15)”. However, there is no mention of

detecting that an access control event related to controlling access to information resources on a computer system has occurred in McManis. McManis teaches that a procedure can be verified for authenticity and then executed. This has no relationship to detecting that an access control event related to controlling access to information resources on a computer system has occurred. Col. 3, line 59-col. 4, line 15 states:

“Referring to FIGS. 2 and 3, an executable procedure (e.g., the "main application A procedure" 128-A in FIG. 1) in program module A begins execution (step 200). For the purposes of this discussion, the procedure in program module A that is being executed will be called "procedure A" and the procedure that it is attempting to call in program module B will be called "procedure B".

Prior to making a procedure call to an executable procedure in program module B (step 220), procedure A makes a procedure call to the verifier to request verification of the authenticity of program module B (step 202). The verifier then attempts to verify the authenticity of program module B and sends a return value to procedure A to indicate whether or not the verification of program module B was successful (step 204).

More specifically, the verifier, which is preferably a distinct trusted object (or alternately a trusted system service procedure) receives the request message from procedure A (step 206), and decodes (step 208) a digital signature embedded in program module B using a public key provided by the calling procedure (i.e., procedure A). The public key provided by calling procedure A to the verifier is the "group" public key 126-A embedded in program module A.”

McManis clearly does not teach or disclose detecting that an access control event related to controlling access to information resources on a computer system. McManis does not address access control events related to controlling access to information resources on a

computer system, nor does he disclose the detection of such events. Therefore, McManis does not contemplate such a feature.

The Office Action further states that “McManis discloses ... and wherein the step of retrieving the executable element is performed in response to detecting that the event has occurred (see col. 3, lines 59-67, col. 4, lines 1-15)”. However, as noted above, McManis does not contemplate detecting that an access control event related to controlling access to information resources on a computer system has occurred. Without such detection, McManis could not teach or disclose what the Office Action states. There is no relationship between McManis’ teaching that a procedure can be executed and Claim 1’s element of retrieving an executable element if the access control event is mapped to the access control function.

McManis therefore does not teach every aspect of the claimed invention.

In a proper rejection under § 102(e) the cited reference must show each and every claimed feature in the same combination as arranged in the claim. See Lewmar Marine, Inc. v. Bariant, Inc., 827 F.2d 744, 747-48, 3 USPQ2d 1766, 1768 (Fed. Cir. 1987). If even a single element or limitation is missing from the reference, anticipation is not found. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983).

Claims 1, 13, and 25 are therefore allowable. Claims 2, 5-12 and 14, 17-24 and 26, 29-36 are dependent upon Claims 1, 13, and 25, respectively, and are allowable. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. 102(e).

### III. CONCLUSIONS & MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

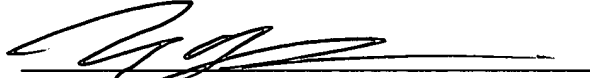
The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: November 4, 2005

  
Kirk D. Wong  
Reg. No. 43,284

2055 Gateway Place, Suite 550  
San Jose, California 95110-1089  
Telephone No.: (408) 414-1080 ext. 214  
Facsimile No.: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on November 4, 2005

by 





Statement Regarding Errors in Advisory Action

Applicant notes that the Advisory Action was sent two months and two days after the third month following the Final Office Action. Applicant had responded to the Final Office Action within the two month period. The Advisory Action incorrectly stated that the period for reply expires 3 months from the mailing date of the final rejection.

Applicant respectfully requests that the Advisory Action be corrected and that the Applicant is not charged for the three month extension, but rather a **one month extension**.

Applicant has attached a copy of the Advisory Action.



COPY

50329-005

KDW/AS

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/309,360

05/11/1999

MARIO

50329-015

7396

29989

7590

10/06/2005

HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

NOV 07 2005

EXAMINER

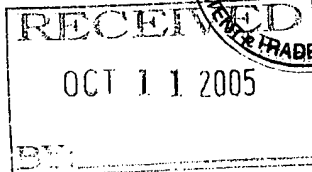
JACKSON, JENISE E

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 10/06/2005

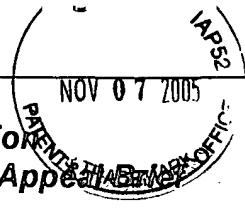


Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED  
DATES:

10/21/05

ENTRY  
DATA  
BASE



**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

09/309,360

Applicant(s)

LIM ET AL.

Examiner

Jenise E. Jackson

Art Unit

2131

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 07 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1,2,5-14,17-26 and 29-36.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

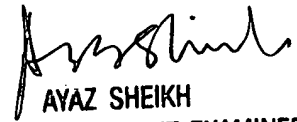
Continuation of 11. does NOT place the application in condition for allowance because: the Applicant's remarks do not overcome the rejection. The Applicant argues in regards that McManis does not disclose a mapping between access control events to access control functions. The Examiner disagrees with the Applicant. Each application program object instance includes a digital signature, and a main procedure which includes a verifier procedure call (see col. 3, lines 8-17 of McManis). that McManis does not disclose access control events. McManis does disclose detecting that an access control event has occurred, because McManis discloses that the verifier attempts to verify the authenticity of program module B and sends a return value A to indicate whether or not the verification of program module B was successful. The Examiner states that this is an access control event. If the Examiner wishes to claim a more specific definition of an access control event than the Applicant is urged to do so.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E. Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



September 30, 2005



AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100